IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE : G. BIKSHAPATHY

AND
THE HON'BLE MR JUSTICE : B.SESHASAYANA REDDY

WRIT PETITION NO : 11761 of 2004

Between:

P. Ramanjul Reddy, S/o. P. Chinnapa Reddy,
Sanitary Inspector (under Suspension),

Gaddiannaram Municipality, Ranga Reddy District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Secretary, Municipal Administration Department, Secretariat Buildings, Hyderabad.
2 The Commissioner and Director of Municipal Administration,

AC Guards, Hyderabad.
3 The Commissioner, Gaddiannaram Municipality, Ranga Reddy District.
4 The Chair-Person, Municipal Council, Gaddiannaram Municipality, Ranga Reddy District.
5 The Director General of ACB, M.J. Road, Andhra Pradesh, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus calling for the records relating to the orders passed in O.A.No.27/2004 dt. 23-6-2004

of the A.P Administrative Tribunal and the Proceedings Roc. C/1024/2003, dt. 25-9-2003 of the 4th respondent and declare the same as illegal, arbitrary and further direct the respondents to continue the petitioner as Sanitary Inspector.

Counsel for Petitioner : Mr.P.RAGHAVENDER REDDY

Counsel for Respondents 1 & 2: G.P. FOR MUN. ADMINISTRATION

Counsel for Respondents 3 & 4 : Mr.R.THIMMA REDDY

The Court made the following :

ORDER: (per the Hon'ble Sri Justice G.Bikshapathy)

The petitioner filed the writ petition challenging the suspension order dated 25.9.2003 passed by fourth respondent on the ground that suspension is not sustainable inasmuch as it was passed at the behest of the higher authorities and therefore, the suspension order is to be set aside.

The A.P. Administrative Tribunal while dealing with the order of suspension in O.A.No. 27 of 2004, refused to interfere with the same and disposed of the O.A. directing the authorities to review the suspension. The said order is assailed before this Court.

The learned counsel for the petitioner submits that no useful purpose would be served if the review is made, inasmuch as the suspension order is passed on the directions of the A.C.B. authorities. Therefore, the order of the Tribunal is not sustainable and it is liable to be set aside.

Heard the learned Government Pleader.

The Government have issued various directions to review the suspension orders from time to time. In the instant case, inasmuch as more than six months have elapsed after the order of suspension is passed, as per G.O.Ms.No.578 dated 31.12.1999, the head of the Department is required to review the order of suspension.

Accordingly, the writ petition is disposed of directing the second respondent namely, the Commissioner and Director of Municipal Administration, AC Guards, Hyderabad to review the order of suspension passed against the petitioner and pass appropriate orders in accordance with the rules within a period of six weeks from the date of receipt of a copy of this order. It is also open to the petitioner to make a representation, if he so chooses, within a period of two weeks from today. No costs.

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G.BIKSHAPATHY, J

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B.SESHASAYANA REDDY, J

Dated: 15th July 2004.

NOTE: C.C. in one week.

B/o

DA/TSY

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To

1 The Secretary, Government of Andhra Pradesh, Municipal Administration Department, Secretariat Buildings, Hyderabad.
2 The Commissioner and Director of Municipal Administration,

AC Guards, Hyderabad.
3 The Commissioner, Gaddiannaram Municipality, Ranga Reddy District.
4 The Chair-Person, Municipal Council, Gaddiannaram Municipality, Ranga Reddy District.
5 The Director General of ACB, M.J. Road, Andhra Pradesh, Hyderabad.

6 Two CCs to the G.P. for Mun. Admn., High Court, Hyderabad.

7 Two CD copies.